

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

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MONA ABOUZIED, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

APPLIED OPTOELECTRONICS, INC.,  
CHIH-HSIANG LIN, and STEFAN J.  
MURRY,

Defendants.

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GAURAV TANEJA, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

APPLIED OPTOELECTRONICS, INC.,  
CHIH-HSIANG LIN, and STEFAN J.  
MURRY,

Defendants.

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DAVIN POKOIK, Individually and On Behalf  
of All Others Similarly Situated,

Plaintiff,

v.

APPLIED OPTOELECTRONICS, INC.,  
CHIH-HSIANG LIN, and STEFAN J.  
MURRY,

Defendants.

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STEPHEN MCGRATH, Individually and On  
Behalf of All Others Similarly Situated,

Civil Action No. 4:17-cv-2399

Civil Action No. 4:18-cv-3544

Civil Action No. 4:18-cv-3722

Civil Action No. 4:18-cv-3914

Plaintiff,	§
	§
v.	§
	§
APPLIED OPTOELECTRONICS, INC.,	§
CHIH-HSIANG LIN, and STEFAN J.	§
MURRY,	§
	§
Defendants.	§
	§

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**RESPONSE IN OPPOSITION TO LAWRENCE ROUGIER’S  
MOTION FOR CONSOLIDATION OF RELATED ACTIONS**

Plaintiff Stephen McGrath (“McGrath”), through counsel, respectfully files this Response in Opposition to Lawrence Rougier’s (“Rougier”) Motion for Consolidation of Related Actions (ECF No. 67).

Rougier is the Lead Plaintiff in *Mona Abouzied v. Applied Optoelectronics, Inc. et al*, No. 4:17 Civ. 02399 (the “*Abouzied* Action”). The *Abouzied* Action was commenced on August 5, 2017, alleging a class period of February 23, 2017, to February 21, 2018. Briefing on the Motion to Dismiss the First Consolidated Amended Class Action Complaint (ECF No. 48) was completed on May 21, 2018.

McGrath filed his Class Action Complaint on October 18, 2018, alleging violations of federal securities laws relating to Applied Optoelectronics, Inc.’s misrepresentations and omissions regarding product quality issues with certain transceivers. McGrath alleges a class period of August 7, 2018 to September 27, 2018. Two other actions, captioned above, were also filed alleging similar misrepresentations and omissions during the same time period. The deadline for these parties to file lead plaintiff motions is November 30, 2018.

McGrath opposes both Rougier's request that the Court strike the PSLRA lead plaintiff deadline and consolidation of the actions until after a lead plaintiff is appointed for alleged misrepresentations and omissions relating to the August 7, 2018 to September 27, 2018 class period. After such appointment, the then-appointed lead plaintiff should be permitted to respond to Rougier's motion for consolidation.

DATED: November 28, 2018.

Respectfully submitted,

/s/ Thomas E. Bilek

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was filed via the District CM/ECF system on November 28, 2018, which caused an electronic copy of same to be served automatically upon all counsel of record.

/s/ Thomas E. Bilek  
Thomas E. Bilek